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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: *09/501,730*

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for Preparation of Non-Immunogenic Polymer Conjugates**

Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.0080000/JAG/BJD

Petition under 37 C.F.R. § 1.324(a) to Correct Inventorship in a Patent

Commissioner for Patents
Washington, D.C. 20231

Sir:

It is hereby petitioned that the United States Patent and Trademark Office correct inventorship in the above-captioned patent. Specifically, the Office is requested to change the inventorship in this patent from:

Merry R. Sherman, Mark G.P. Saifer and L. David Williams

To

Merry R. Sherman, Mark G.P. Saifer, L. David Williams, Michael S. Hershfield
and Susan J. Kelly

Further, the Office is requested to issue a certificate naming only the actual inventors.

This request is accompanied by:

- (1) A statement under 37 C.F.R. § 1.324(b)(1) from each person to be added as an inventor, stating that the error in

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inventorship was made without deceptive intention on their part;

- (2) A statement under 37 C.F.R. § 1.324(b)(2) from each of the currently named inventors, who have not submitted a statement under 37 C.F.R. § 1.324(b)(1), stating that each has no disagreement in regard to the requested change;
- (3) Statements from the assignees of the individuals submitting a statement under 37 C.F.R. § 1.324(b)(1) and (2) agreeing to the change of inventorship in the patent;
- (4) Statements under 37 C.F.R. § 3.73(b) executed by the assignees identified in part (3); and
- (5) The fee set forth under 37 C.F.R. § 1.20(b).

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Shannon A. Carroll, Ph.D.
Attorney for Patentees
Registration No. 58,240

Date: May 24, 2006

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Of Counsel
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Marvin C. Guthrie

*Admitted only in Maryland
+Admitted only in Virginia
•Practice Limited to Federal Agencies

May 24, 2006

WRITER'S DIRECT NUMBER:
(202) 772-8834

INTERNET ADDRESS:
BHAANES@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1652

Mail Stop: Petition

Re: U.S. Utility Patent Application
Patent No. 6,783,965; Issued: August 31, 2004
For: **Aggregate-Free Urate Oxidase for Preparation of Non-Immunogenic Polymer Conjugates**
Inventors: SHERMAN *et al.*
Our Ref: 2057.0080000/JAG/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$130.00 to cover: \$130.00 fee set forth in 37 C.F.R. 1.20(b);
2. Petition under 37 C.F.R. § 1.324(a) to Correct Inventorship in a Patent;
3. Two (2) Statements under 37 C.F.R. § 1.324(b)(1) of A Person To Be Added Or Deleted As An Inventor;
4. Three (3) Statements under 37 C.F.R. § 1.324(b)(2);
5. Two (2) Consents of the Assignee under 37 C.F.R. § 1.324(b)(3);
6. Statement Under 37 C.F.R. 3.73(b) for Mountain View Pharmaceuticals, Inc.;
7. Statement Under 37 C.F.R. 3.73(b) for Duke University with copy of assignment attached; and
8. One (1) return postcard.

Commissioner for Patents
May 24, 2006
Page 2

The Assignment document was, or concurrently is, submitted for recordation pursuant to § 3.11.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Shannon A. Carroll, Ph.D.
Attorney for Patentees
Registration No. 58,240

SAC/jk
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
Preparation of Non-Immunogenic
Polymer Conjuates**

Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.0080000/JAG/BJD

**Statement under 37 C.F.R. § 1.324(b)(1) of A Person
To Be Added Or Deleted As An Inventor**

Commissioner for Patents
Washington, D.C. 20231

Sir:

I am a coinventor of the invention of one or more claims in the above-captioned patent for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed: Michael S. Hershfield Date: 5/16/2006
Michael S. Hershfield



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
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Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.0080000/JAG/BJD

**Statement under 37 C.F.R. § 1.324(b)(1) of A Person
To Be Added Or Deleted As An Inventor**

Commissioner for Patents
Washington, D.C. 20231

Sir:

I am a coinventor of the invention of one or more claims in the above-captioned patent for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed: Susan Kelly
Susan J. Kelly

Date: May 17, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
Preparation of Non-Immunogenic
Polymer Conjugates**

Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.008000/JAG/BJD

Statement under 37 C.F.R. § 1.324(b)(2)

Commissioner for Patents
Washington, D.C. 20231

Sir:

I am a currently named inventor in the above-captioned patent. I have no disagreement in regard to the requested change in inventorship from:

Merry R. Sherman, Mark G.P. Saifer and L. David Williams

to

Merry R. Sherman, Mark G.P. Saifer, L. David Williams, Michael S. Hershfield

and Susan J. Kelly

I have read and understand 37 C.F.R. § 10.18(b).

Signed: Merry R. Sherman Date: April 28, 2006
Merry R. Sherman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
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Examiner: Pak, Yong D.

Atty. Docket: 2057.0080000/JAG/BJD

Statement under 37 C.F.R. § 1.324(b)(2)

Commissioner for Patents
Washington, D.C. 20231

Sir:

I am a currently named inventor in the above-captioned patent. I have no disagreement in regard to the requested change in inventorship from:

Merry R. Sherman, Mark G.P. Saifer and L. David Williams

to

Merry R. Sherman, Mark G.P. Saifer, L. David Williams, Michael S. Hershfield
and Susan J. Kelly

I have read and understand 37 C.F.R. § 10.18(b).

Signed: L. David Williams Date: 04-28-2006
L. David Williams



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
Preparation of Non-Immunogenic
Polymer Conjuates**

Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.008000/JAG/BJD

Statement under 37 C.F.R. § 1.324(b)(2)

Commissioner for Patents
Washington, D.C. 20231

Sir:

I am a currently named inventor in the above-captioned patent. I have no disagreement in regard to the requested change in inventorship from:

Merry R. Sherman, Mark G.P. Saifer and L. David Williams

to

Merry R. Sherman, Mark G.P. Saifer, L. David Williams, Michael S. Hershfield

and Susan J. Kelly

I have read and understand 37 C.F.R. § 10.18(b).

Signed: Mark Saifer Date: 4/28/06
Mark G. P. Saifer



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
Preparation of Non-Immunogenic
Polymer Conjugates**

Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.0080000/JAG/BJD

Consent of the Assignee under 37 C.F.R. § 1.324(b)(3)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Mountain View Pharmaceuticals, Inc., assignee of the entire right, title and interest of Merry R. Sherman, Mark G.P. Saifer and L. David Williams in the above-captioned patent, consents to the change in inventorship from:

Merry R. Sherman, Mark G.P. Saifer and L. David Williams

to

Merry R. Sherman, Mark G.P. Saifer, L. David Williams, Michael S. Hershfield

and Susan J. Kelly

I have read and understand 37 C.F.R. § 10.18(b).

For: Mountain View Pharmaceuticals, Inc.

Signature: Merry R. Sherman

Type or Print Name: Merry R. Sherman

Title: CEO and President

Date: April 28, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

SHERMAN *et al.*

Patent No: 6,783,965

Issued: August 31, 2004

For: **Aggregate-Free Urate Oxidase for
Preparation of Non-Immunogenic
Polymer Conjugates**

Confirmation No.: 4303

Art Unit: 1652

Examiner: Pak, Yong D.

Atty. Docket: 2057.0080000/JAG/BJD

Consent of the Assignee under 37 C.F.R. § 1.324(b)(3)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Duke University, assignee of the entire right, title and interest of Michael S. Hershfield and Susan J. Kelly in the above-captioned patent, consents to the change in inventorship from:

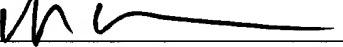
Merry R. Sherman, Mark G.P. Saifer and L. David Williams

to

Merry R. Sherman, Mark G.P. Saifer, L. David Williams, Michael S. Hershfield
and Susan J. Kelly

I have read and understand 37 C.F.R. § 10.18(b).

For: Duke University

Signature: 

Type or Print Name: Robert L. Taber, Ph.D.

Title: Vice-Chancellor, Corporate & Venture Development

Date: May 17, 2006



PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

2057.0080000/JAG/BJD

Applicant/Patent Owner: Sherman et al.Application No./Patent No./Control No.: 6,783,965 Filed/Issue Date: August 31, 2004Entitled: Aggregate-Free Urate Oxidase for Preparation of Non-Immunogenic Polymer ConjugatesMountain View Pharmaceuticals, Inc., a corporation

(Name of Assignee) (Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is 50 %)

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010836, Frame 0572, or a true copy of the original assignment is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Merry R. Sherman

Printed or Typed Name

CEO and President

Title

Date

650-365-5515

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/96 (12-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

2057.0080000/JAG/BJD

Applicant/Patent Owner: Sherman et al.Application No./Patent No./Control No.: 6,783,965 Filed/Issue Date: August 31, 2004

Entitled:

Aggregate-Free Urate Oxidase for Preparation of Non-Immunogenic Polymer ConjugatesDuke University

, a

Corporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is 50 %)

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 17, 2006

Date

Robert L. Taber, Ph.D.(919) 681-6491

Printed or Typed Name

Telephone Number

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DO NOT FORWARD
TO ASSIGNMENT BRANCH
NOT FOR RECORDATION**

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventors: **Michael S. HERSHFIELD** and **Susan J. KELLY**, hereby sell and assign to **Duke University**, a corporation formed under the laws of North Carolina, whose mailing address is Erwin Road, Durham, NC 27710 (hereafter referred to as the Assignee), his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages, for the United States of America (as defined in 35 U.S.C. § 100) and throughout the world,

- (a) in the invention known as **Aggregate-Free Urate Oxidase for Preparation of Non-Immunogenic Polymer Conjugates** for which an application for patent in the United States of America was filed on February 10, 2000 (also known as United States Application No. 09/501,730, now U.S. Patent No. 6,783,965), in any and all applications thereon, in any and all Letters Patent(s) therefor, and
- (b) in any and all applications that claim the benefit of the patent application listed above in part (a), including non-provisional applications, continuing (continuation, divisional, or continuation-in-part) applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and
- (c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventors agree to execute all papers necessary in connection with the application(s) and any non-provisional, continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

**DO NOT FORWARD
TO ASSIGNMENT BRANCH
NOT FOR RECORDATION**

The undersigned inventors agree to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any non-provisional, continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventors hereby represent that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventors hereby grant the patent practitioners associated with **CUSTOMER NUMBER 26111** the power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventors on the date opposite his/her name.

Date: 5/16/2006 Signature of Inventor: 
Michael S. HERSHFIELD

Date: 5/17/2006 Signature of Inventor: 
Susan J. KELLY

519762